

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TINA VU,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:23-cv-03336-JMG
	:	
MICHELLE L. KOTT, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 31st day of May, 2024, upon consideration of Defendants' Partial Motion to Dismiss Plaintiff's Amended Complaint (ECF No. 22) and Plaintiff's Response in Opposition (ECF No. 26), **IT IS HEREBY ORDERED** that the Motion (ECF No. 22) is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. Count I is **DISMISSED** without prejudice.
2. Count II is **DISMISSED** without prejudice.
3. Count III, as it pertains to race discrimination, is **DISMISSED**, but **REMAINS**, as it pertains to sex discrimination.
4. Count IV is **DISMISSED** with prejudice.
5. Count V is **DISMISSED** with prejudice as it pertains to a property interest in continued employment, but **REMAINS**, as it pertains to a liberty interest in reputation.
6. Count VI is **DISMISSED** without prejudice.
7. Count VII is **DISMISSED** with prejudice.
8. Count VIII **REMAINS**.

9. Count IX is **DISMISSED** without prejudice.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge